



City of Seattle

Department of Construction and Land Use

SHORELINE MANAGEMENT ACT OF 1971
PERMIT FOR SHORELINE MANAGEMENT SUBSTANTIAL
DEVELOPMENT, CONDITIONAL USE,
OR VARIANCE

☒ Substantial Development Permit

Application No. 9706464

☐ Conditional Use

Date Received _____

☐ Variance

Approved X

Denied _____

Date of Issuance 9/24/98

Date of Expiration _____

Pursuant to RCW 90.58, a permit is hereby granted to:

Applicant: STEVE JANSEN, KNIK CONSTRUCTION

Address: 18000 PACIFIC HWY S, SUITE 800 SEATTLE WA 98188

Owner: SWAN BAY HOLDINGS

Address: 18000 INTERNATIONAL BLVD., SUITE 800 SEATTLE WA 98188

to undertake the following development

TO ESTABLISH USE FOR FUTURE INSTALLATION OF FOUR CONVEYERS AND MODULAR

OFFICE BUILDING TO EXPAND A CARGO TERMINAL. PROJECT INCLUDES DEMOLITION

EXISTING WAREHOUSE BUILDINGS.

upon the following property: 7100 2ND AVENUE SOUTHWEST

SW1/2 29 24-4
(Section, Township, Range)

Within DUWAMISH and/or its associated wetlands.
(Name of Water Area)

The project will NOT BE within shorelines of statewide significance.
(be/not be)

(RCW 90.03.350)

The project will be located within URBAN INDUSTRIAL designation.
(Environment)

The following master program provisions are applicable to this development

23.60.060.A, 23.60.840, 23.60.872 - 882, 23.60.150 - 162, 23.60.006

(State the master program sections or page numbers): If a conditional use or variance, also identify the portion of the master program which provides that the proposed use may be a conditional use, or that portion of the master program being varied.

DEVELOPMENT PURSUANT TO THIS PERMIT SHALL BE UNDERTAKEN PURSUANT TO THE FOLLOWING TERMS AND CONDITIONS:

CONDITIONS - SEPA (SP) AND SHORELINE MASTER PROGRAM (SD)

Prior to Issuance of the Master Use Permit:

The owner(s) and/or the responsible party(s) shall:

1. Revise plans to accurately show all structures to be demolished, particularly the structures at the south end of the site overhanging the water. All piles supporting or associated with these structures shall be shown, together with a plan detailing pile removal and repair of wounds to the submerged land. (SD)
2. Provide a copy of the Hydraulic Project Approval from the Department of Fisheries covering the proposed use. (SD)

Prior to issuance of any permit to demolish or to construct:

The owner(s) and/or the responsible party(s) shall submit copies of:

3. An approved HPA permit covering demolition of structure(s) over water, pile removal and repair of submerged land; and (SD)
4. A PSAPCA permit covering the proposed demolition and use. (SP)

Prior to issuance of any temporary or final certificate to operate:

5. The owner(s) and/or responsible party(s) shall certify in writing that there will be no truck movements during the a.m. (7:00-9:00 a.m.) or p.m. (4:00-6:00 p.m.) peak traffic hours. Alternatively, they shall submit a copy of a formal written Traffic Management Plan for movements at these times that has been approved by SeaTrans. In addition to addressing truck movements at peak hours, the plan shall provide a full time street sweeper and/or flusher to ensure that streets are kept clean, or identify other arrangements addressing street maintenance as approved by SeaTrans. (SP)

For the Life of the Project:

6. The owner(s) and/or the responsible party(s) shall comply with all HPA and PSAPCA conditions, and with the approved Traffic Management Plan. (SP)

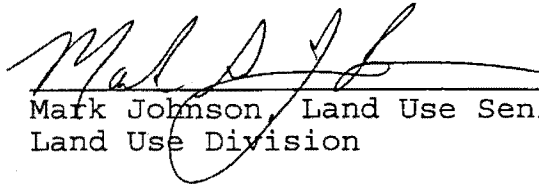
This permit is granted pursuant to the Shoreline Management Act of 1971, and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof.

CONSTRUCTION PURSUANT TO THIS PERMIT WILL NOT BEGIN OR IS NOT AUTHORIZED UNTIL TWENTY-ONE DAYS FROM THE DATE OF FILING AS DEFINED IN RCW 90.58.140(6) AND WAC 173-27-130, OR UNTIL ALL REVIEW PROCEEDINGS INITIATED WITHIN TWENTY-ONE DAYS FROM THE DATE OF SUCH FILING HAVE TERMINATED; EXCEPT AS PROVIDED IN RCW 90.58.140(5) (a) (b) (c).

7/24/98

(Date)


Mark Johnson, Land Use Senior
Land Use Division

THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY IN REGARD TO A CONDITIONAL USE OR VARIANCE PERMIT.

Date received by the Department _____

Approved _____ Denied _____

This conditional use/variance permit is approved/denied by the Department pursuant to the following additional terms and conditions:

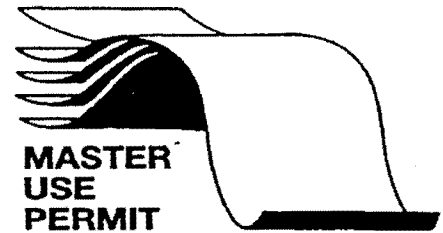
(Date)

(Signature of Authorized Department of Ecology Official)

Seattle Department of Construction and Land Use

R. F. Krochalis, Director
Paul Schell, Mayor

September 24, 1998



* NOTICE OF DECISION *

The Director of the Department of Construction and Land Use has reviewed the Master Use Permit application(s) below and issued the following decisions. Interested parties may appeal these decisions.

Hearing Examiner Appeals

To appeal to the City's Hearing Examiner, the appeal MUST be in writing, and be delivered to the Office of the Hearing Examiner, Room 1320, Alaska Building, 618 Second Avenue, Seattle, Washington 98104. Appeals must be received prior to 5:00 P.M. of the appeal deadline indicated below and be accompanied by a \$50.00 filing fee in a check payable to the City of Seattle. (The Hearing Examiner may waive the appeal fee if payment would cause financial hardship.) The appeal must identify all the specific Master Use Permit component(s) being appealed, specify exceptions or objections to the decision, and the relief sought. Appeals to the Hearing Examiner must conform in content and form to the Hearing Examiner's rules governing appeals. (The Hearing Examiner's Office has a form that can be used for land use appeals.) A copy of the Hearing Examiner Rules is available for \$1.00 from DCLU. The Hearing Examiner's Office also provides a "Citizen Guide to the Office of the Hearing Examiner". To be assured of a right to have your views heard, you must be party to an appeal. Do not assume that you will have an opportunity to be heard if someone else has filed an appeal from the decision.

Interpretations

Issues concerning the proper application of any development regulation in the Land Use and Zoning Code (Title 23) or regulations for Environmentally Critical Areas (Chapter 25.09) cannot be raised as part of this appeal. These issues can be considered in an interpretation, which may be appealed to the Hearing Examiner. Interpretations may be requested by any interested person. Requests for interpretations must be filed in writing prior to 5:00 P.M. on the appeal deadline indicated below and be accompanied by a \$880.00 fee payable to the City of Seattle. Requests must be submitted to the Department of Construction and Land Use, Code Interpretation and Implementation Section, 720 Second Avenue. Questions regarding how to apply for a formal interpretation may be asked by phone by calling (206) 684-8467.

Shoreline Decisions

An appeal from a shoreline decision is made to the State Shorelines Hearing Board. It is NOT made to the City Hearing Examiner. The appeal must be in writing and filed within 21 days of the date the DCLU decision is received by the State Department of Ecology (DOE). The DCLU decision will be sent to DOE by the close of business on the Friday of this week. If the Shoreline decision involves a shoreline variance or shoreline conditional use, the appeal must be filed within

21 days after DOE has made their decision. The information necessary for DOE to make their decision will be sent to them by the close of business on the Friday of this week. The beginning of the appeal period may also be provided to you by calling (206) 684-8467. The minimum requirements for the content of a shoreline appeal and all the parties who must be served within the appeal period cannot be summarized here but written instructions are available at the Department of Construction and Land Use (Client Assistance Memo 232), 710 Second, Suite 200, Seattle, WA 98104-1703, (206) 684-8467 or contact the Shorelines Hearing Board at (206) 459-6327. Failure to properly file an appeal within the required time period will result in dismissal of the appeal. In cases where a shoreline and environmental decision are the only components, the appeal for both shall be filed with the State Shorelines Hearing Board. When a decision has been made on a shoreline application with environmental review and other appealable land use components, the appeal of the environmental review must be filed with both the State Shorelines Hearing Board and the City of Seattle Hearing Examiner.

Comments

When specified below written comments will be accepted. Comments should be addressed to: Department of Construction and Land Use, 710 Second Avenue, Suite 200, Seattle, WA 98104-1703.

Information

For additional information, to obtain a copy of the decision or to learn if a decision has been appealed, contact the Master Use Information and Notification Center, 710 Second Avenue, Suite 200, (206) 684-8467. A copy fee will be charged. (The Information and Notification Center is open 8:00 a.m. to 5:00 p.m. on Monday, Wednesday, Thursday, Friday and 10:00 a.m. to 5:00 p.m. on Tuesday.)

7100 2nd Av SW

Zone IG1 U/85', UI

Project #9706464

Applicant Contact: Terry McCann - **Phone:** (425) 828-4463

DCLU Land Use Planner: Paul Janos - **Phone:** (206) 233-7195

Shoreline Substantial Development Permit to establish use for future installation of four conveyers and modular office building to expand a cargo terminal. Project includes demolition of existing warehouse buildings.

The following appealable decisions have been made based on submitted plans.

Declaration of Non-Significance with conditions (no environmental impact statement required). Environmental review completed and project conditioned as applicable.
Conditions: Numerous - please see report in project file.

Conditionally Grant - Shoreline Substantial Development Permit to allow a cargo terminal in a UI Environment.

This decision is appealable to the Washington State Shoreline Hearings board until at least **October 15, 1998**.

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF CONSTRUCTION AND LAND USE**

Application Number: 9706464
Applicant Name: Swan Bay Holdings
Address of Proposal: 7100 2nd Avenue Southwest

SUMMARY OF PROPOSED ACTION

Shoreline Substantial Development Permit to establish use for future installation of four conveyers and modular office building to expand a cargo terminal. Project includes demolition of existing warehouse buildings.

The following approvals are required:

Shoreline Substantial Development Permit - To allow a cargo terminal in a UI environment (Seattle Municipal Code 23.60.840.B.6)

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

 ☐ DNS with conditions

 ☒ DNS involving non-exempt grading, or demolition,
 or involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The proposal is located on the west side of the Duwamish River beneath and immediately east of the 1st Avenue South bridge. The site is triangular-shaped, extending approximately 548 feet in north-south direction and 433 in an east-west direction. The property contains 3.04 acres (132,361 square feet). Approximately 91% of the site is upland area; roughly three percent of the site is located within the Duwamish waterway, and the balance is located in a slough (30-70 feet

wide and 530 feet long) that adjoins the site to the south. The site has 702 feet of frontage along the Duwamish. The site is zoned Industrial General 1 (IG1- U/65) and has a shoreline designation of Urban Industrial (UI). Neighboring properties are comparably zoned.

For the past three years, the property has been used for heavy equipment storage and barge loading and unloading. The uplands portion of the presently contains heavy equipment, large steel container, a crane and several hover craft. Existing developments on the site include an approximately 9,000 square foot shop building, a 2,150 square foot storage building, a 10-foot by 15-foot fenced electric power area, a 62-foot by 102-foot concrete wharf and a 10-foot by 25-foot concrete ramp to the water, which are located in the northeast portion of the site, and eight multiple-pile wooden dolphins located 60-80 feet offshore. The majority of the site's shoreline is covered with concrete rip-rap. Other than areas with structures, the entire site is paved with asphaltic concrete. Exterior lighting is located along the shoreline, the west and south property lines and throughout the site. A cyclone fence borders the west property line and the south portion of the site. Two gates provide access along the west property line.

Proposal Description

The applicant proposes to demolish the existing shop and storage building, and all existing containers, heavy equipment and hover craft presently stored on site would be removed. An approximately 320-square foot modular office structure would be placed on the site. Truck scales would be located along the west property line near the office. Four 48-inch wide conveyors (330-500 feet long) would be positioned to connect hoppers on barges to a truck loading area. All existing fencing and paving would remain. The south driveway would remain in its present location. It is proposed to relocate the north driveway north by 100-150 feet to better interface with the revised alignment of the SW Michigan Street roadway being constructed by WSDOT.

No in-water construction or modifications to existing in-water facilities proposed. Tractor tugs would position 8,000-10,000 ton barges (two at a time) adjacent to pairs of conveyors. The tugs would be positioned on the channel side of the barges, and would operate approximately 140 feet from the west shoreline. The barges would be moored to the existing dolphins during off-loading. Each barge would carry two feed hoppers and front-end loaders or backhoes. Sand and gravel would be placed in the hoppers by the loading equipment, and conveyors would transfer the sand and gravel over water and across the site to trucks. Each of the four conveyors would be mounted on pivots located along the shoreline in order to maneuver the conveyors out to the barges.

Two stockpiles of material (containing approximately 5,000 cubic yards) would be centrally located on the site. The proposed barge off-loading facility could accommodate a maximum of three-to-four 8,000-ton barges per day or three 10,000-ton barges per day. It is anticipated that the facility would require six to eight barge trips (including both entering and departing trips) per day.

During 1998, it is projected that the facility would generate approximately 50,000 double-loaded truck trips, which would be approximately 325 trips per day or 33 trips per hour. Between 1999 and 2002, when the facility would be operating at peak capacity (24 hours per day, 6 days per week), it is estimated that a total of 225,000 truck trips would be generated per year, or approximately 750 trips per day or 47 trips per hour. Four to 6 employees would be active on-site during each shift.

Trucks would travel from the project site to the job site via SR 509. Trucks arriving at the project site would exit SR 509 northbound at South Holden Street, turn right (eastbound) onto South Holden Street and proceed to the intersection with SR 99, turn left (northbound) onto SR 99 and proceed on SR 99 to the new SW Michigan Street/1st Avenue South surface access street (beneath the new 1st Avenue South bridge), which leads directly to the project site. Upon exiting the project site, trucks would follow the new SW Michigan/1st Avenue South surface access street, pass beneath the 1st Avenue South bridge to the intersection with Highland Park SW and 2nd Avenue SW, turn left (southbound) onto 2nd Avenue SW and proceed on 2nd Avenue SW to access SR 509 southbound.

Public Comment

Notice of the proposed project was published on March 19, 1998. The public comment period ended April 17, 1998. No comments were received.

ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

Pursuant to SMC Section 23.60.030.A, the proposed project must demonstrate consistency with: 1. the policies and procedures of Chapter 90.58 RCW; 2. the regulations of SMC Chapter 23.60; and 3. the provisions of Chapter 173-27 WAC.

1. The policies and procedures of Chapter 90.58 RCW

RCW 90.58.020 begins with a paragraph of legislative findings, followed by a paragraph identifying the state shoreline policy and what it contemplates, and goes on to establish use preferences and a number of statements regarding implementation of the policy. The shorelines policy of the state is "to provide for the management of the shorelines by planning for and fostering of all reasonable and appropriate uses." The policy contemplates protecting against adverse effects to public health, the land and its vegetation and wildlife, and the waters of the state and the aquatic life, while protecting generally public rights of navigation and corollary rights. The last statement of RCW Section 90.58.020 is, "Permitted uses in the shorelines of the state shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water." In this case, transport of the proposed huge quantity of earth materials poses substantial risk of dust and spillage entering the Duwamish. Thus, for the use to be

deemed consistent with policy of Chapter 90.58 RCW, it is crucial to assure adequate controls on all movements of the earth materials. All conditions identified below are founded in part upon this RCW policy authority.

2. The Regulations of Chapter 23.60 Seattle Municipal Code

The regulations of the SMC 23.60.030.A.2 effectively requires that the proposed use(s): be permitted in the shoreline environment and the underlying zoning district; and, satisfy the criteria of shoreline variance, conditional use, and/or special use permits as may be required; and conform to all applicable development standards of both the shoreline environment and underlying zoning. In these regards: A cargo terminal use present legally exists on the site. This use is permitted outright in the IG1 zone pursuant to SMC Section 23.50.012, Chart A. Cargo terminals are also permitted outright in the UI shoreline environment pursuant to SMC Section 23.60.840.B.6. Thus, section "2)" immediately above does not apply. The proposed developments comply with the development standards specified in SMC Section 23.60.872 regarding height and 23.60.874 regarding lot coverage. SMC Sections 23.60.876 (regarding view corridors); 23.60.878 (regarding setbacks); 23.60.880 (regarding water-related uses); and 23.60.882 (regarding public access) do not apply.

The proposed developments must also comply with development standards stated in SMC Sections 23.60.150-162. Of these, only the general development standards stated in SMC Section 23.60.152 apply. Of these 17 standards, six (A, E, G, H, I and K) apply; they provide substantial authority for assuring that transport and stockpiling of earth materials have no adverse impacts on the shoreline environment. The Puget Sound Air Pollution Control Authority ("PSAPCA") has indicated a willingness and ability to take control of this aspect of the project, assuring full mitigation. Thus, project approval shall be contingent upon the proponent's providing to DCLU a copy of a plan for mitigating all adverse air impacts that has been approved by PSAPCA.

With respect to the development standards of the IG1 zone, SMC Section 23.60.006.A is also directed at protection of water quality. A particular concern is to provide for the removal (dredging) of any earth materials that could accumulate in or along the Duwamish during the life of the project. To address this issue, the Department of Ecology has recommended that the project be conditioned to 1. Provide a copy of an HPA permit prior to issuance of the Master Use Permit and 2. Comply with all HPA conditions for the life of the permit. Project approval has been so conditioned.

A site visit showed that substantial portions of ramshackle buildings at the south end of the site extend over water on piles. The site plan does not appear to accurately show these buildings. The structures would be demolished. The Department of Ecology has advised that any supporting piles should be removed from the water column. Ecology is concerned about creation of an "open wound" in the bottom of the Duwamish, and recommended that the pile wound be capped to prevent oozing of polyaromatic hydrocarbons. Placement of one yard of clean sand in

each pile hole. Project approval shall be conditioned upon proper removal of all piles supporting or associated with structures to be demolished. Plans shall be revised to show all such piles, and be annotated with details of pile removal and repair of wounds to the submerged land. An HPA permit covering the pile removal shall be provided prior to commencement of the work.

The proposal would satisfy all other applicable industrial zone development standards (e.g. landscaping standards for designated streets, view corridors, structure height, maximum size of use, setbacks, screening and landscaping, and parking).

3. The Provisions of Chapter 173-27 WAC

Chapter 173-27 WAC sets forth permit requirements for development in shoreline environments and gives the authority for administering the permit system to local governments; the State acts in a review capacity. SMC Chapter 23.60 (Shoreline Development) and the RCW 90.58 incorporate the policies of the WAC by reference. These policies have been addressed in the foregoing analysis and have fulfilled the intent of WAC 173-27.

Pursuant to SMC Section 23.60.030.B, conditions may be attached to the approval of a permit as necessary to assure consistency of the proposed development with the SSMP and the Shoreline Management Act. Conditions to control dust and spillage of earth materials have been identified above, and are attached to project approval in part pursuant to this authority. Development and operation in accord with these conditions will achieve consistency with all applicable SSMP use and development standards.

DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT

The proposal to develop the existing cargo terminal is **CONDITIONALLY APPROVED**.

CONDITIONS - SHORELINE SUBSTANTIAL DEVELOPMENT

(Following SEPA decision below.)

SEPA DETERMINATION

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent dated February 20, 1998. The information in the checklist, the supplemental information submitted by the applicant, consultation with SeaTrans, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-Term Impacts

The proposed work will increase noise on the currently nearly inactive site, and will likely result in additional construction-related dust, traffic, equipment emissions, activities above the water, and the like. Except for potential release of asbestos particles associated with demolition of existing structures on the site, these impacts are expected to be adequately mitigated by existing City, State and Federal regulations, including the Seattle Noise Ordinance, which limits sound levels and hours of construction; U.S. Army Corps of Engineers (USACE) Section 10/404 permit for placement of equipment over water; Washington Department of Fish and Wildlife, Hydraulic Project Approval (HPA) including assuring work is done with the least interference of the salmonid juvenile migration period (usually March 15 to June 15). Due to these regulatory requirements, no further analysis or mitigation is required except to meet HPA conditions required by the Washington State Department of Fish and Wildlife. The Stormwater, Drainage and Grading Control Ordinance will require Best Management Practices for water quality.

The Puget Sound Air Pollution Control Authority has jurisdiction over asbestos mitigation, but there is no reliable means of triggering their involvement other than by requiring the proponent to notify the agency of the proposal. Hence, project approval has been made contingent upon such notification.

Long-Term Impacts

Air & Water

The transfer of millions of cubic yards of earth under all conditions of weather, particularly wind and rain, poses high potential for substantial erosion, dust, tracking of mud and dirt onto adjacent streets, and siltation of the Duwamish River. All of these impacts require careful management of transfer activities. Mitigation has been identified above, in the SSDP analysis. No additional mitigation is warranted. However, the mitigation identified in the SSDP analysis is supported by, and required pursuant to SEPA authority.

Traffic

The traffic study submitted with the application identified four signalized intersections for study:

2nd Avenue SW/Highland Park Way SW
2nd Avenue SW NB Ramps/Highland Park Way SW
SR-99/SR-509 NB Ramps/S Holden Street
2nd Avenue SW/W Marginal Way SW.

The study also analyzed the un-signalized intersection of 2nd Avenue SW/SR-509 SB Ramps, together with the southbound SR-509 on-ramp. The 2nd Avenue SW northbound ramps/Highland Park Way SW, 2nd Avenue SW/SR-509 SB ramps, and southbound SR-509 on-ramp are all currently operating at traffic Level of Service ("LOS") D. Given the study's assumptions regarding changes in background traffic, the only projected change in LOS would be at the intersection of 2nd Avenue SW and the SR-509 SB ramps, where service would drop to some level beyond the calculation abilities of the program utilized in the study. Project operations would further adversely affect this intersection, and would result in a drop in functioning of 2nd Avenue SW/W Marginal Way SW intersection from LOS A to LOS B.

For these reasons, SeaTrans has recommended that project approval be conditioned to carefully control truck movements during the a.m. and p.m. peak hours (7:00-9:00 a.m. and 4:00-6:00 p.m.). SeaTrans specified certain elements of a plan to mitigate traffic impacts, including ceasing operations during peak hours, or providing a couple of flaggers, equipped to communicate by radio with vehicle operators, who would regulate traffic flow at appropriate locations. Details of a plan that would adequately mitigate impacts have yet to be worked out. Accordingly, project approval will be conditioned to require that any truck movements during the a.m. and p.m. peak hours must be in strict conformance with a formal written Traffic Management Plan for such movements that has been approved by SeaTrans. This approved plan shall be provided to DCLU prior to issuance of any temporary or permanent certificate of approval to operate.

SeaTrans expressed concern about tracking of earth materials onto public rights-of-way, and requested that the project provide a full time street sweeper and/or flusher to ensure that streets are kept clean. Accordingly, project approval has been conditioned to require inclusion of this element in the approved Traffic Management Plan.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS - SEPA (SP) AND SHORELINE MASTER PROGRAM (SD)

Prior to Issuance of the Master Use Permit:

The owner(s) and/or the responsible party(s) shall:

1. Revise plans to accurately show all structures to be demolished, particularly the structures at the south end of the site overhanging the water. All piles supporting or associated with these structures shall be shown, together with a plan detailing pile removal and repair of wounds to the submerged land. (SD)
2. Provide a copy of the Hydraulic Project Approval from the Department of Fisheries covering the proposed use. (SD)

Prior to issuance of any permit to demolish or to construct:

The owner(s) and/or the responsible party(s) shall submit copies of:

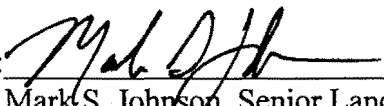
3. An approved HPA permit covering demolition of structure(s) over water, pile removal and repair of submerged land; and (SD)
4. A PSAPCA permit covering the proposed demolition and use. (SP)

Prior to issuance of any temporary or final certificate to operate:

5. The owner(s) and/or responsible party(s) shall certify in writing that there will be no truck movements during the a.m. (7:00-9:00 a.m.) or p.m. (4:00-6:00 p.m.) peak traffic hours. Alternatively, they shall submit a copy of a formal written Traffic Management Plan for movements at these times that has been approved by SeaTrans. In addition to addressing truck movements at peak hours, the plan shall provide a full time street sweeper and/or flusher to ensure that streets are kept clean, or identify other arrangements addressing street maintenance as approved by SeaTrans. (SP)

For the Life of the Project:

6. The owner(s) and/or the responsible party(s) shall comply with all HPA and PSAPCA conditions, and with the approved Traffic Management Plan. (SP)

Signature:  Date: 9/24/98
Mark S. Johnson, Senior Land Use Planner
Department of Construction and Land Use
Land Use Division

PMJMSJ:sb

pmj\9706464



MASTER USE AND CONSTRUCTION APPLICATION AND PERMIT

PROJECT NUMBER: 9706464

CITY OF SEATTLE
DEPARTMENT OF CONSTRUCTION AND LAND USE

KROLL: 169

RMIT NUMBER:

PROPERTY ADDRESS: 07100 2ND AV SW ()

LEGAL DESCRIPTION: APN 292404-9090: BEG AT INTER OF W LN OF SEC &
SWLY LN OF R OF W CW W DIST #1. TH SELY ALG R OF
W LM 166.80' TO P OF BEG TH S 43-32-00 (SEE FILE)
APN: 292404-9090CONSTRUCTION VALUE
NEW:

0

ELATED FILES/PERMITS.
PERMIT REMARKS:

ALTER:

0

PROJECT DESCRIPTION: Permission is hereby given to do the following according to the conditions stated hereon and on the
tchments and according to the approved plans and specifications pertaining thereto, subject to compliance with the ordinances
the City of Seattle:

TOTAL:

0

ST/CHANG USE FOR FUTURE INSTALLATION OF 4 CONVEYERS AND A
THER MODULAR OFFICE TO EXPAND A CARGO TERMINAL

DCLU:

BLDG. IDENTIFIER: 99P

OCCY GROUP & CHAR:

NO. DWELLING UNITS

TYPE OF CONSTRUCTION:

EXISTING:

ASSEMBLY OCCUPANT LOAD:

NEW:

0

SPRINKLER SYSTEM LOCATION:

DEMOLISH:

NUMBER OF STORIES, BASEMENTS:

TOTAL:

USE PER LAND USE CODE:

XXXXXXXXXXXX

CONSTRUCTION

COMPONENT

FEE

ZONING: IG1 U-85 UI

DEMOLITION LICENSE: NA

DATE	COMPONENT	FEE
980220	DEMOLITION	330.00
980220	HR OTHER MUP	900.00
980220	MIN FEE 0 MUP	725.00
980220	SHORELINE DEV	.00
980220	WA SURCHARGE	4.50
980220	USE PLAN REVW	.00

OCCUPANCY CERT. REQUIRED?

RECEIPT

NUMBER

RECEIPT AMOUNT

035342
048074100.00
2,906.50

SPECIAL INSPECTIONS REQUIRED?

Y

ENVIRON. SENSITIVE AREA?

Y

SHORELINE AREA?

PROTECTED DISTRICT/LANDMARKS?

N

PERMIT SPECIALIST:

DGV 980220

MASTER USE

SEPA HOURS

AC-

TION

FEE

GREENBELT?

N

LAND USE TECHNICIAN:

BLDG CODE PLANS EXAM/ENGR:

XXXXXXXXXXXX

MASTER USE

COMPONENT

FEE

OWNER/LESSEE: SWAN BAY HOLDINGS

CONTACT PERSON: TERRY MCCANN

425-

8284463

PHONE:

98033

ZIP:

XXXXXXXXXXXX

ADDRESS:

LUCKELL WEIMAN 205 LAKE ST S #202

DATE

STREET USE
COMPONENTAC-
TION

FEE

CONTRACTOR:

NA
LIC. NO:

XXXXXXXXXXXX

OTHER

FEE

DIRECTOR OF
CONSTRUCTION
& LAND USE BYDATE PERMIT
ISSUEDCONSTRUCTION
EXPIRATION DATELAND USE
EXPIRATION DATE

TOTAL PERMIT FEES:

1,959.5

NOTICE TO THE APPLICANT: The Department of Construction and Land Use cannot guarantee any specific time frame for project review. The applicant shall determine applicability and compliance with all relevant codes. DCLU permit action is based upon information supplied by the applicant. The Department reserves the right to require additional information. For revisions on issued permits may be required if errors or omissions are discovered.

Construction or substantial progress toward construction of a project for which a Master Use Permit or construction permit has been granted must be undertaken prior to the expiration date. Extension of the construction permit without penalty may be granted if application is made within the 30 days prior to the date of expiration. Additional fees will be assessed to reinstate an expired permit.

Not valid unless signed by the DIRECTOR OF THE DEPARTMENT OF CONSTRUCTION AND LAND USE. Starting construction without a building permit is punishable by fine and/or imprisonment. All work shall be done in accordance with the permit and approved plans. Call for inspection before placing any concrete or installing any piling on private property. Phone 684-8900.

I certify that I have read the above notice, and that to the best of my knowledge, the information which I have provided is complete and accurate.

APPLICANT'S

APPLICANT'S
RELATIONSHIP

A 01 0

ATTACHMENT C.1

(Shoreline Substantial Development Permits, Variances, Special Uses and Conditional Uses) MASTER USE PERMIT

CITY OF SEATTLE
Department of Construction and Land Use

To be completed by Local Official:

Master Use Permit Application Number: 070646A Shoreline Environment: UI

Address of Project: 7100 2ND AVE SW

The proposed action requires approval of:

- ☒ Substantial Development Permit
☐ Shoreline Variance
☐ Shoreline Special Use
☐ Shoreline Conditional Use

Land Use Technician: DEH

Land Use Specialist: _____

To be completed by Applicant:

1. Name of adjacent water areas or wetlands. Duwamish River/Waterway
2. Describe current use of property and existing improvements. industrial use & related structures
3. List of permits required from other than City of Seattle agencies (include name of agency, date of application, number of application and disposition). No additional permits required from other agencies. See Attached Addendum #1 and Addendum #2.
4. Name and Address of Owner (if other than applicant). same

To be completed by Local Official:

A Shoreline Variance is sought from the following provisions and requirements of the Seattle Master Program (Article 21 A or Ordinance 86300): _____

(List specific requirements and amount of deviation)

(Signature of authorized official)



February 10, 1998

Douglas Management Co.
P.O. Box 3757
Seattle, Washington 98124-3757
(206) 241-8778
(800) 426-3201
Fax: (206) 243-8415

City of Seattle
Department of Construction & Land Use
710 Second Avenue, Suite 200
Seattle, Washington 98104-1703

Attention: Land Use Technician

Re: Master Use Permit #9706464

Dear Sir or Madam:

In reference to the above MUP, this letter is to address the moorage of barges along the Duwamish Waterway.

On February 4, 1998 I contacted the Corps of Engineers, Regulatory Branch, and talked to Jim Green. He advised me that the Corps does not regulate vessels, only structures in the Duwamish River, and no authorization is required by the Corps regarding our barges or vessels moored along the Duwamish.

On February 6, 1998 I talked to Mary Barrett of the Department of Natural Resources regarding the moorage of barges in the Duwamish Waterway and was advised that the Department of Natural Resources has turned over the administrative management of the Duwamish River to the Port of Seattle. She said her department has no jurisdiction over the moorage of our barges at our property.

A copy of this letter is being sent to both of the above-referenced agencies.

Sincerely,

A handwritten signature in cursive script that reads 'Steve Jansen'.

Steve Jansen
Agent for Douglas Management Co.

SJ:dk

cc: Ms. Mary Barrett
Department of Natural Resources
(360)902-1111, Ext. 1904547

Mr. Jim Green
Corps of Engineers
(206)764-6906

Huckell / Weinman Associates, Inc.

Land Use
Environmental and
Regulatory Analysis
Economics
Legislative Research
and Drafting

February 17, 1998

1000 1st Ave. S.W.
Seattle, WA 98101

TEL: 425-446
FAX: 425-366

5011 1st Ave. S.W. Seattle, WA 98148

Ms. Hermia Ip
Seattle Department of Construction & Land Use
710 Second Avenue, Suite 200
Seattle, WA 98104

RE: Shoreline Exemption Request

Dear Ms. Ip:

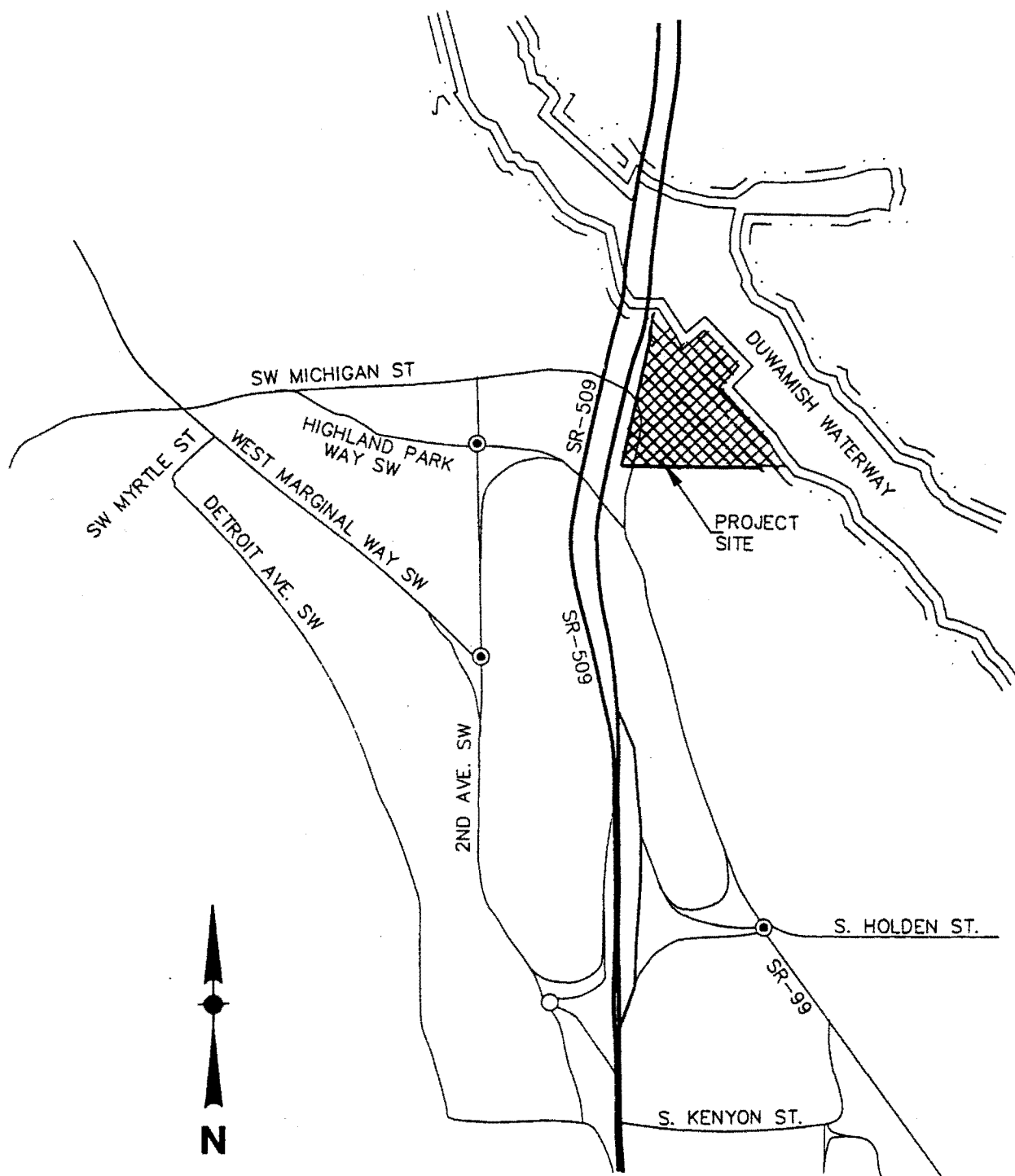
This letter is submitted to request consideration of a shoreline exemption for a proposed barge off-loading facility to be located on the Duwamish Waterway. The following provides an overview of the site, operational considerations associated with the proposed use of the site, and a discussion of justification for the exemption request.

Site Characteristics

- **Location** -- The project site is located in south Seattle on the south-side (west bank) of the Duwamish Waterway, immediately adjacent and east of the 1st Ave. S. bridge (see Figure 1 and 2).
- **Address** -- 7100 - 2nd Ave. S.W.
- **Parcel Number** -- 07100
- **MUP Number** -- 9706464 (see discussion below)
- **Zoning Designation** -- IG1 U/65
- **Shoreline Designation** -- UI
- **Site Characteristics** -- The project site is a triangular-shaped parcel, extending approximately 548 feet in a north-south direction and 433 feet in an east-west direction. The property contains 3.04 acres (132,361 sq.ft.). Approximately 91 percent of the site is upland area; roughly 3 percent of the site area is located within the Duwamish Waterway and the balance is located in a slough that adjoins the site to the south. The project site has 702 feet of frontage along the Duwamish Waterway.

Existing Use of the Site -- The project site is used as a cargo terminal. Research of DCLU's microfilm records indicate that this use has occurred on the site at least since 1974. During this period, the site has served as a transshipment facility for sand and gravel and, within the past 10 years, as a cargo facility for barges destined for Alaska. For the past three years, the property has been used for heavy equipment storage and barge loading/off-loading. The uplands portion of the site presently contains heavy equipment, large steel containers, a crane and several hover craft.





Source: Huckell/Weinman Associates, Inc.

Huckell/Weinman Associates, Inc.

**Duwamish Barge
Off-Loading Facility**

Figure 2

Vicinity Map

Barges ranging in size from 12,000 sq.ft. to 45,000 sq.ft (approx. 4,000 - 15,000 tons) have historically been moored at the project site for varying lengths of time.

- **Existing Site Development** -- a shop building (sq.ft. -- approx. 9,000; ht. -- approx. 20 to 21 ft.) is centrally located along the west property line; and a storage building (sq.ft. -- approx. 2,150; ht. -- approx. 19 ft.), a modular office (approx. 320 sq.ft.), and a fenced electrical power area (roughly 10 ft. x 15 ft.) are located along the south property line. Other than areas covered by buildings, the entire site is paved with asphaltic concrete; exterior lighting is located along the shoreline, the west and south property lines and throughout the site. A cyclone fence borders the west property line and the south portion of the site; two gates provide vehicular access along the west property line. A 62 ft. x 102 ft. concrete wharf and a 10 ft. x 25 ft. concrete ramp to the water are located in the northeast portion of the site. Eight, multiple-pile wood dolphins are located 60 - 80 feet offshore. The majority of the site's shoreline is covered with concrete rip-rap.

Operational Considerations Associated with the Proposed Use of the Site

The proposed project consists of two similar, yet independent components -- a minor, initial component and a major component. While both components involve use of the project site to off-load sand and gravel from barges moored at the site and the transfer of sand and gravel to trucks for off-site deposit, each component is a separate contract with no dependence on the other contract. The following briefly describes each component.

Minor Component

The minor component is based on activity associated with a specific contract from the Port of Seattle, for which a *Request for Proposal* has been issued and a bid proposal is being prepared. The term of this contract is work that would occur only during 1998. The scope of the contract would involve the delivery of an estimated 1.5 million tons (1 million cubic yards) of sand and gravel to the off-site deposit site via the proposed barge off-loading facility. The following summarizes key aspects of this minor component of the project:

- A barge carrying sand and gravel would be towed to the site by tug, maneuvered into position adjacent to the existing wharf and dolphins, and moored to the existing wharf and dolphins. Tugs would position the barge from the channel-side of the barge, operating approximately 140 feet from the west shoreline of the Duwamish Waterway. It is estimated that this component of the project would consist of a one-barge off-loading activity.
- Sand and gravel would be placed into a hopper located on the barge. The hopper would transfer the sand and gravel to conveyors, which would transport the sand and gravel from the barge across the site to trucks for off-site deposit.
- The minor component of the project would involve:
 - no in-water construction; the wharf and dolphins are existing, permitted uses;
 - no new buildings would be constructed nor any existing structures demolished;
 - the system of conveyors that would transport the sand and gravel from the barge to trucks are existing equipment that would be maneuvered into position on the site for the duration of this contract; and
 - the value of improvements needed to implement this aspect of the project would be less than \$2,500.

Major Component

The major component of the project is based on a separate, specific contract from the Port of Seattle, for which a *Request for Proposal* is expected to be issued later this year. Work related to this subsequent contract would involve the transfer of sand and gravel from barges via conveyors to waiting trucks for off-site deposit. The duration of this contract would involve work during 1999, 2000 and 2001. The scope of this contract would involve delivery of an estimated total of 13.5 million tons (9 million cubic yards) of sand and gravel, which amounts to approximately 4.5 million tons (3 million cubic yards) of sand and gravel for each of the years of the three-year contract. The following summarizes key aspects of this major element of the project:

- Barges carrying sand and gravel would be towed to the site by tug, maneuvered into position adjacent to the existing wharf and dolphins, and moored to the existing wharf and dolphins. Tugs would position the barges from the channel-side of the barge, operating approximately 140 feet from the west shoreline of the Duwamish Waterway. It is projected that this component of the project would consist of a two-barge off-loading activity.
- Sand and gravel would be placed into a hopper located on each barge. The hopper would transfer the sand and gravel to conveyors, which would transport the sand and gravel from each barge across the site to trucks for off-site deposit.
- This phase of the project would involve:
 - no in-water construction; the wharf and dolphins are existing, permitted uses;
 - existing structures would be demolished;
 - a modular building/scale house would be located on-site;
 - the system of conveyors that would transport the sand and gravel from the barges to trucks are existing equipment that would be maneuvered into position on the site for the duration of this contract; and
 - the value of improvements needed to implement this aspect of the project would exceed \$2,500.

In light of the scale of activity associated with the major component of the project, a Pre-Application Meeting has held on 10/27/97 and a MUP number assigned (#9706464). Materials and analyses were prepared for the MUP intake submittal and an intake meeting was held 2/3/98. At that time, it was decided that the application would not be filed until additional details could be provided on one of the plan sheets; it was determined that all other elements of the application were complete. The plan changes have since been finalized and an intake appointment for submittal of the MUP with a Shoreline Substantial Development Permit, Demolition Permit and SEPA evaluation is scheduled for 2/20/98.

Justification for the Exemption Request


An exemption from Shoreline Program Permit requirements is requested for the minor component of the project. Reasons for the exemption are outlined below.

- While the components are similar, the minor component is a contract totally separate from that of the major component.
- The proposed minor component of the project is a use that is permitted in the UI shoreline district and a use that is permitted in the IG1 U/65 zoning district.

- The value of the improvements needed to implement the minor component of the project would be less than \$2,500. Such improvements primarily relate to conveyor equipment that would be positioned on-site for this aspect of the project.
- The minor component would not materially interfere with the normal public use of the water or shorelines of the City.
- No in-water construction, dredging or filling is needed for the minor component. The existing wharf and dolphins are permitted uses, which would be used for the proposed project.
- No Shoreline Substantial Development Permit is required for vessel moorage – typically for periods less than three months. The longest time that a barge would be moored at the project site during this minor component is about 24 hours.
- The proposed activity associated with the minor component is not subject to RCW 90.58.550.
- The minor component would involve no building demolition nor building construction.
- The system of conveyors that would transport the sand and gravel from the barge to trucks as part of the minor component is existing equipment that would be maneuvered into position on the site for the duration of this contract. This equipment is temporary and could be removed upon completion of the proposed activity.
- The minor component would involve no change of land use; the site would continue to be used as a water-dependent cargo terminal.
- No shoreline exemption is requested nor warranted for the major component of the project. As noted, a MUP application with a Shoreline Substantial Development Permit, Demolition Permit and SEPA is being applied for on 2/20/98.

Thank you for reviewing our shoreline exemption request. If you have any questions, please contact me at (425) 828-4463.

Sincerely,
Huckell/Weinman Assoc., Inc.


Terry McCann

cc: Steve Jansen, Douglas Management

ATTACHMENT C.2
**(Shoreline Substantial Development Permits,
Variances, Special Uses and Conditional Uses)**
MASTER USE PERMIT

CITY OF SEATTLE
Department of Construction and Land Use

Master Use Permit Application Number: 9706464

To be completed by Applicant: (Use additional paper if necessary)

1. Describe the proposed development or construction and the proposed use of the property.

See Attached Addendum.

2. Indicate the total valuation of the development. *\$500,000.00 - full build-out.*

3. Does the development include state-owned aquatic lands? *No; see Addendum^{#1} to Attachment C.1.*

4. Describe nature of existing shoreline (type of shoreline such as marine, stream, lake, lagoon, march, bog, swamp, flood plain, floodway, delta, type of beach, such as accretion, erosion, high bank, low bank, or dike, material such as sand, gravel, mud clay, rock riprap, and extent and type of bulkheading, if any).

The shoreline is an industrial segment of the Duwamish River. The bank is covered with riprap (concrete asphalt). Refer also to the attachment associated with question #1 above.

5. In the event that any of the proposed buildings or structures will exceed a height of 35 feet above the existing grade level, indicate the approximate location and number of residential units, existing and potential, that will have an obstructed view.

No existing or potential residential units will have an obstructed view as a result of this proposed project.

I hereby certify that the above information provided by me is true and correct to the best of my knowledge and belief.

Signature of applicant: Terry P. McLean, Agent Date: 2/2/98; rev. 2/20/98

ATTACHMENT C.2 ADDENDUM

DESCRIPTION OF THE PROPOSED DEVELOPMENT AND PROPOSED USE OF THE PROPERTY

Project Location

The project site is located in south Seattle on the south-side (west bank) of the Duwamish River, immediately adjacent and east of the 1st Ave. S. bridge. The address of the site is 7100 - 2nd Ave. S. The complete legal description for the property is depicted on the site plan, which is on file with DCLU as part of the Master Use Permit application.

Vehicular access to the site is from SR-99 to the new S.W. Michigan St./1st Ave. S. surface access street located beneath the new 1st Ave. S. Bridge.

Overview

The proposed action would involve the transfer of sand and gravel from barges arriving at the site to trucks for off-site delivery. It is anticipated that the sand and gravel would be mined and loaded onto barges from an operation on Maury Island (King County), transported to the project site, off-loaded into trucks, and transported to SeaTac International Airport for use in construction of the Third Runway project. An estimated 1.5 million tons (1 million cubic yards) of sand & gravel would be off-loaded at this facility in 1998 and 4.5 million tons of material per year (3 million cubic yards) for 1999 through 2001. The total amount of sand and gravel to be off-loaded and transported from the project site is estimated to be 20 million tons (13.3 million cubic yards) over the next four years. These estimates assume acceptance of a bid by the applicant to provide material for construction of the Third Runway at SeaTac International Airport.

Background Information

Historically, the vicinity of the project site was part of a large tidal marsh that encompassed roughly the lower six miles of the Duwamish River. Most of this area of Seattle was filled, dredged, channelized and diked in the late 1800's and early 1900's.

Somewhat more recently, the project site was formerly part of the Duwamish Waterway Turning Basin No. 2. It is estimated that the turning basin was filled approximately 50 years ago.

Physical Setting

The project site is a triangular-shaped parcel, extending approximately 548 feet in a north-south direction and 433 feet in an east-west direction. The property contains 3.04 acres (132,361 sq.ft.). Approximately 91 percent of the site is upland area; roughly 3 percent of the site area is located within the Duwamish Waterway and the balance is located in a slough that adjoins the site to the south (see discussion below). The project site has 702 feet of frontage along the Duwamish Waterway.

A data search of City land use records (available to 1974) indicates that for the past 24 years, the site has been consistently used for industrial purposes, including former use as a

transshipment facility for sand and gravel. Within the past 10 years, the site was used as a cargo facility for barges destined for Alaska and, for the past three years, the property has been used for heavy equipment storage and barge loading/off-loading. The uplands portion of the site presently contains heavy equipment, large steel containers, a crane and several hover craft. Barges ranging in size from 12,000 sq.ft. to 45,000 sq.ft. (approx. 4,000 - 15,000 tons) have historically been moored at the project site for varying lengths of time. During site investigations in December and January, one or more large barges were moored at the site.

Existing development on the site includes a shop building (sq.ft. -- approx. 9,000; ht. -- approx. 20 to 21 ft.), which is centrally located along the west property line; a storage building (sq.ft. -- approx. 2,150; ht. -- approx. 19 ft.), a modular office (approx. 320 sq.ft.), and a fenced electrical power area (roughly 10 ft. x 15 ft.) located along the south property line; a 62ft. x 102 ft. concrete wharf and a 10 ft. x 25 ft. concrete ramp to the water, which are located in the northeast portion of the site; and eight, multiple-pile wood dolphins located 60 - 80 feet offshore. The majority of the site's shoreline is covered with concrete rip-rap. Other than areas covered by buildings, the entire site is paved with asphaltic concrete; exterior lighting is located along the shoreline, the west and south property lines and throughout the site. A cyclone fence borders the west property line and the south portion of the site; two gates provide vehicular access along the west property line.

A 30 - 70-foot wide slough is located along the south portion of the site. The slough extends westward from the Duwamish Waterway a distance of approximately 530 feet and terminates near the southwest corner of the project site. Portions of the slough extend onto the project site by as much as 25 feet.

Project Description

The following briefly describes demolition, new construction and operations associated with the proposed barge off-loading facility.

■ Demolition

The existing shop (approx. 9,000 sq.ft.) and the storage building (approx. 2,150 sq. ft.) would be demolished and existing containers, heavy equipment and hover craft that are stored on-site would be removed.

■ Construction

It is proposed that a modular structure be located on the site in the same general area as the existing shop to serve as a temporary office/scale house. This structure would be a single-story building (approx. 10 ft. x 32 ft. and height of 12 ft.) with restroom facilities for employees. Truck scales would be located on-site along the west property line proximate to the modular office/scale house.

Four 48-inch wide conveyors would be positioned on the site. The conveyors would extend from hoppers on the barges to the truck load-out area. Each conveyor would be U-shaped and the speed of the feed hoppers would be set based on the capacity of each conveyor, to prevent spillage. The lengths of the conveyors would vary depending upon the location on the site -- from about 330 ft. to 500 ft.

Additional exterior lighting would be provided proximate to the modular office/scale house and along the conveyor.

All existing paving would remain. The existing cyclone fence along the west and south boundaries of the site would remain. As noted previously, there are presently two driveway entrances to the project site located along the west property line. The location of the south ingress/egress would remain in its present location. It is proposed, however, that the north entrance be relocated approximately 100 - 150 ft. north, to better coincide with the revised alignment of the S.W. Michigan St. access roadway being conducted by WSDOT.

No in-water construction or modifications to existing in-water facilities is proposed. The site contains a 62 ft. x 102 ft. pile-supported concrete wharf, which is located in the northeast corner of the site and eight multiple-pile wood dolphins that are located approximately 60 - 80 ft. offshore.

Operations

The site's shoreline area can currently accommodate two 8,000 - 10,000 ton barges¹. Tractor tugs would position each barge into position adjacent to pairs of conveyors. The tugs would be positioned on the channel-side of the barge and would operate approximately 140 ft. from the west shore of the Duwamish Waterway. The barges would be moored to the existing dolphins during off-loading. Each barge would carry two feed hoppers and front-end loaders or backhoes. Sand and gravel would be placed in the hoppers by the front-end loaders or backhoes and conveyors would transfer the sand and gravel over water and across the site to waiting trucks for transfer to the job site. Each of the four conveyors would be mounted on pivots located along the shoreline in order to maneuver the conveyors out to the barges.

Two stockpiles of material (containing approx. 5,000 cu. yds.) would be centrally-located on the site.

The proposed barge off-loading facility could accommodate a maximum of three to four 8,000-ton barges per day or three 10,000-ton barges per day. It is anticipated that the facility would require 3 to 4 barge trips (entering and departing) per day.

During 1998, assuming successful bidding, it is projected that the barge off-loading facility would generate a total of approximately 50,000 truck trips², which equates to approximately 325 trips per day or 33 trips per hour. Between 1999 and 2002, when the facility is fully operational, it is estimated that a total of 225,000 truck trips would be generated per year; this equates to approximately 750 trips per day or 47 trips per hour.

Trucks would travel from the project site to the job-site via SR-509. Trucks arriving at the project site would exit SR-509 northbound at S. Holden St., turn right (eastbound) onto S. Holden St. and proceed to the intersection with SR-99, turn left (northbound) onto SR-99

¹ 8,000-ton barges have an approximate length of 320 feet with a beam of 78 ft.; 10,000-ton barges have a length of about 350 ft. with a 90 ft. beam.

² Assumes truck capacity of 20 cubic yards.

and proceed on SR-99 to the new S.W. Michigan St./1st Ave. S. surface access street (beneath the new 1st Ave. S. Bridge), which leads directly to the project site. Upon exiting the project site, trucks would follow the new S.W. Michigan St./1st Ave. S. surface access street, pass beneath the 1st Ave. S. Bridge to the intersection with Highland Park S.W. and 2nd Ave. S.W., turn left (southbound) onto 2nd Ave. S.W. and proceed on 2nd Ave. S.W. to access SR-509 southbound.

The proposed project would involve 24-hour operations 6 days per week. It is estimated that 4 - 6 employees would be on-site during each shift.

DETERMINATION OF NON-SIGNIFICANCE

Description of Proposal: To establish use for future installation of four conveyers and modular office building to expand a cargo terminal. Project includes demolition of existing warehouse buildings.

Proponent: Swan Bay Holdings

Project No.: 9706464

Location of proposal, including street address if any:

7100 2nd Avenue Southwest

Lead Agency: City of Seattle, Department of Construction & Land Use

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☐ There is no comment period for this DNS.

☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date below. Comments must be submitted by 9/18/98.

Responsible official: Mark S. Johnson

Position/title: Land Use Senior

Phone: 233-3856

Address: 710 - 2nd Avenue, Suite 200, Seattle, Washington 98104-1708

Date 9/4/98

Signature 

(OPTIONAL)

☒ There is no agency appeal of the Determination of Non-significance other than to the State Shorelines Hearings Board at the time of filing of the final order to grant, condition, or deny the Shoreline Substantial Development Permit and Shoreline Variance/Conditional Use Permit with the State Department of Ecology.

wp1/9706464dns



City of Seattle
Department of Construction and Land Use

ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of Checklist for Nonproject Proposals

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project", "applicant", and "property or site" should read as "proposal", "proposer", and "affected geographic area", respectively.

BACKGROUND

1. Name of proposed project:

Duwamish Barge Off-Loading Facility

A. Address or General Location of Site:

The proposed Duwamish Barge Off-Loading Facility would be located in South Seattle on the south-side of the Duwamish River, immediately adjacent and east of the 1st Ave. S. bridge (see Figure 1 and 2).

2. Name of applicant:

Douglas Management

3. Name, address and phone number of applicant:

Steve Jansen
KNIK Construction
18000 Pacific Hwy. S., Suite 800
Seattle, WA 98180

The contact person associated with the application that this Environmental Checklist accompanies is Terry McCann of the firm of Huckell/Weinman Associates, Inc.; 205 Lake Street South, Suite 202, Kirkland, WA 98033.

telephone: (425) 828-4463;
fax: (425) 828-3861;
e-mail: hwa@mail.halycon.com.

4. Date checklist prepared:

February 2, 1998; revised February 19, 1998

5. Agency requesting checklist:

City of Seattle Department of Construction and Land Use

6. Proposed timing or schedule (including phasing, if applicable):

Site demolition and construction associated with the proposed project would begin in summer/fall 1998 with operations scheduled for late winter/early spring 1998.



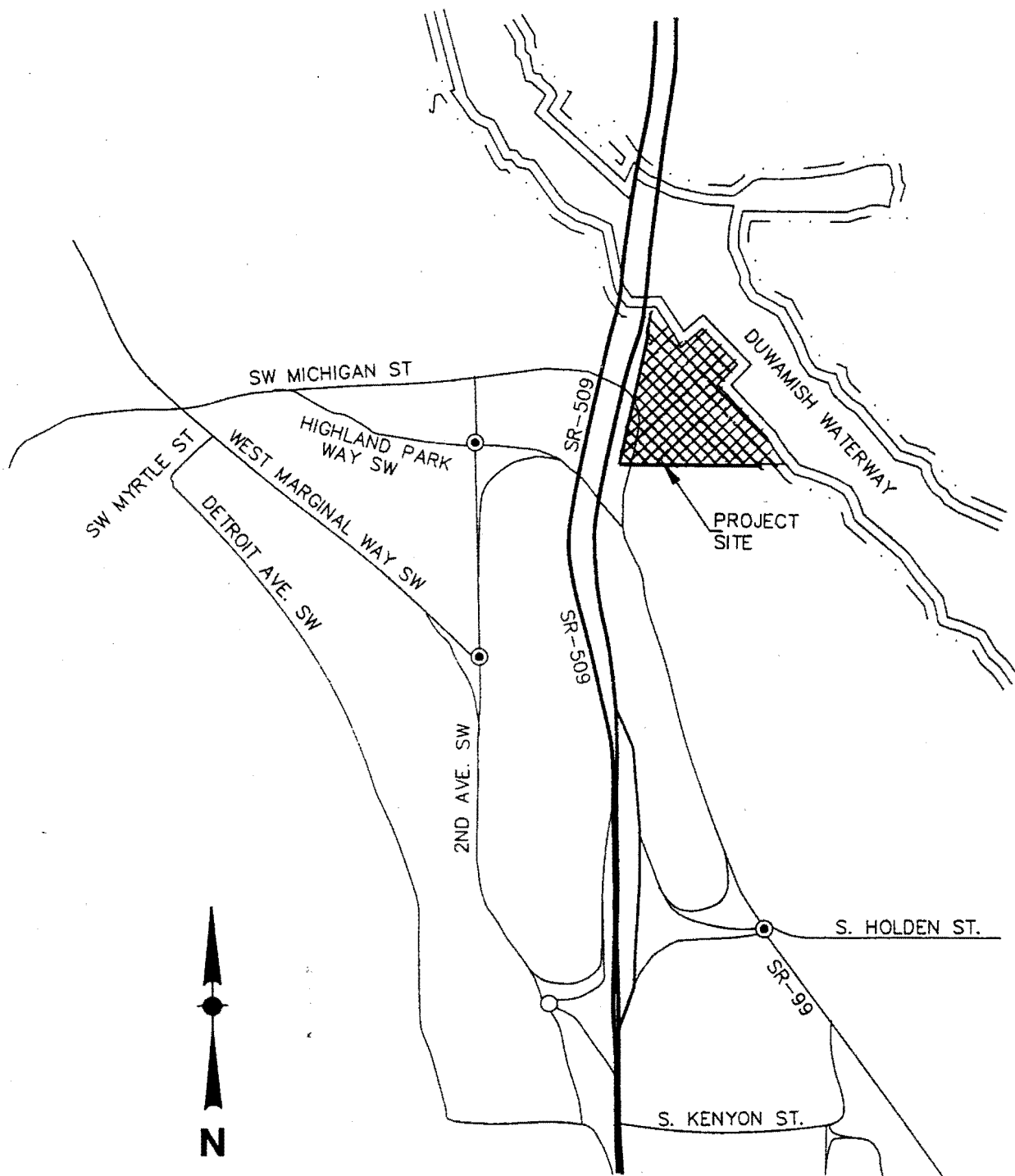
Source: Huckell/Weinman Associates, Inc. & Thomas Brothers

Huckell/Weinman Associates, Inc.

Duwamish Barge
Off-Loading Facility

Figure 1

Regional Map



Source: Huckell/Weinman Associates, Inc.

Figure 2

Huckell/Weinman Associates, Inc.

**Duwamish Barge
Off-Loading Facility**

Vicinity Map

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

This facility is designed to serve Douglas Management's needs for at least the next 4 years. There are no plans at this time for future additions, expansion or additional development activity associated with this barge off-loading facility.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

No known information has been or will be prepared specifically with regard to this proposal beyond that contained in this expanded Environmental Checklist. The analysis contained in this expanded Environmental Checklist adopts by reference other environmental analyses, including that associated with SR-509, SeaTac International Airport's Third Runway, and the *Maury Island Mining Operation*¹ (King County environmental review in progress).

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

There are no other known applications pending for this property.

10. List any government approvals or permits that will be needed for your proposal, if known:

The following governmental approvals will be needed for the full build-out operation. It is possible that other permits/approvals may be identified during the detailed project review process.

City of Seattle Department of Construction and Land Use

- Master Use Permit
- Shoreline Management Substantial Development Permit
- Building Permit
- Stormwater, Drainage, and Erosion Control compliance; no Drainage Control Review is anticipated
- Electrical Permit

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Overview

The proposed action would involve the transfer of sand and gravel from barges arriving at the site to trucks for off-site delivery. It is anticipated that the sand and gravel would be mined and loaded onto

¹ Separate environmental review associated with this project, for which King County is lead agency. Analysis that is being conducted includes mining and barge shipment of sand and gravel from a site on Maury Island.

barges from an operation on Maury Island (King County), transported to the project site, off-loaded into trucks, and transported to SeaTac International Airport for use in construction of the Third Runway project. An estimated 1.5 million tons (1 million cubic yards) of sand & gravel would be off-loaded at this facility in 1998 and 4.5 million tons of material per year (3 million cubic yards) for 1999 through 2001. The total amount of sand and gravel to be off-loaded and transported from the project site is estimated to be 20 million tons (13.3 million cubic yards) over the next four years. These estimates assume acceptance of bids by the applicant to provide material for construction of the Third Runway at SeaTac International Airport.

Background Information

Historically, the vicinity of the project site was part of a large tidal marsh that encompassed roughly the lower six miles of the Duwamish River. Most of this area of Seattle was filled, dredged, channelized and diked in the late 1800's and early 1900's.

Somewhat more recently, the project site was formerly part of the Duwamish Waterway Turning Basin No. 2. It is estimated that the turning basin was filled approximately 50 years ago.

Physical Setting

The project site is a triangular-shaped parcel, extending approximately 548 feet in a north-south direction and 433 feet in an east-west direction. The property contains 3.04 acres (132,361 sq.ft.). Approximately 91 percent of the site is upland area; roughly 3 percent of the site area is located within the Duwamish Waterway and the balance is located in a slough that adjoins the site to the south (see discussion below). The project site has 702 feet of frontage along the Duwamish Waterway.

A data search of City land use records (available to 1974) indicates that for the past 24 years, the site has been consistently used for industrial purposes, including former use as a transshipment facility for sand and gravel. Within the past 10 years, the site was used as a cargo facility for barges destined for Alaska and, for the past three years, the property has been used for heavy equipment storage and barge loading/off-loading. The uplands portion of the site presently contains heavy equipment, large steel containers, a crane and several hover craft. Barges ranging in size from 12,000 sq.ft. to 45,000 sq.ft. (approx. 4,000 - 15,000 tons) have historically been moored at the project site for varying lengths of time. During site investigations in December and January, one or more large barges were moored at the site.

Existing development on the site includes a shop building (sq.ft. -- approx. 9,000; ht. -- approx. 21 ft.), which is centrally located along the west property line; a storage building (sq.ft. -- approx. 2,150; ht. -- approx. 19 ft.); a modular office (approx. 320 sq.ft.; ht. -- approx. 12 ft.); a fenced electrical power area (roughly 10 ft. x 15 ft.) located along the south property line; a 62ft. x 102 ft. concrete wharf and a 10 ft. x 25 ft. concrete ramp to the water, which are located in the northeast portion of the site; and eight, multiple-pile wood dolphins located 60 - 80 feet offshore. The majority of the site's shoreline is covered with concrete rip-rap. Other than areas covered by buildings, the entire site is paved with asphaltic concrete; exterior lighting is located along the shoreline, the west and south property lines and throughout the site. A cyclone fence borders the west property line and the south portion of the site; two gates provide vehicular access along the west property line.

A 30 - 70-foot wide slough is located along the south portion of the site. The slough extends westward from the Duwamish Waterway a distance of approximately 530 feet and terminates near the southwest corner of the project site. Portions of the slough extend onto the project site by as much as 25 feet.

Project Description

The following briefly describes phasing, demolition, new construction and operations associated with the proposed barge off-loading facility (refer to Figure 3).

■ Phasing

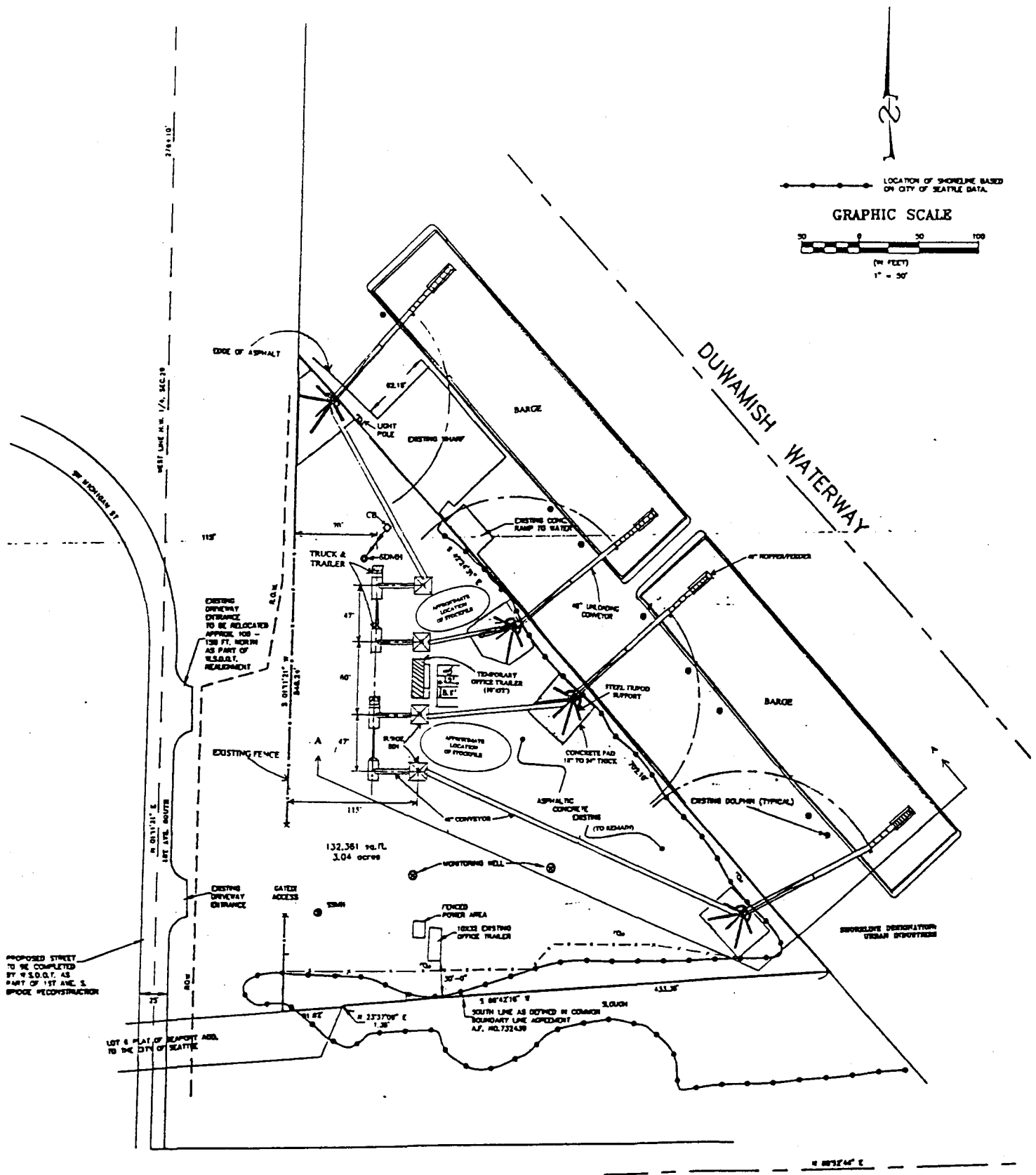
The proposed project consists of two similar, yet independent components -- a minor, initial component and a major or full build-out component. While both components involve use of the project site to off-load sand and gravel from barges moored at the site and the transfer of sand and gravel to trucks for off-site deposit, each component is a separate contract with no dependence on the other contract. The following briefly describes each component.

Minor Component

The minor component is based on activity associated with a specific contract from the Port of Seattle, for which a *Request for Proposal* has been issued and a bid proposal is being prepared. The term of this contract is work that would occur only during 1998. The scope of the contract would involve the delivery of an estimated 1.5 million tons (1 million cubic yards) of sand and gravel to the off-site deposit site via the proposed barge off-loading facility. The following summarizes key operational aspects of this minor component of the project:

- A barge carrying sand and gravel would be towed to the site by tug, maneuvered into position adjacent to the existing wharf and dolphins, and moored to the existing wharf and dolphins. Tugs would position the barge from the channel-side of the barge, operating approximately 140 feet from the west shoreline of the Duwamish Waterway. It is estimated that this component of the project would consist of a one-barge off-loading activity.
- Sand and gravel would be placed into a hopper located on the barge. The hopper would transfer the sand and gravel to conveyors, which would transport the sand and gravel from the barge across the site to trucks for off-site deposit.
- The minor component of the project would involve:
 - no in-water construction; the wharf and dolphins are existing, permitted uses;
 - no new buildings would be constructed nor any existing structures demolished;
 - the system of conveyors that would transport the sand and gravel from the barge to trucks are existing equipment that would be maneuvered into position on the site for the duration of this contract; and
 - the value of improvements needed to implement this aspect of the project would be less than \$2,500.

A request has been submitted to DCLU to authorize a Shoreline Exemption for this minor component of the project.



Source: Westec Industries, Inc.

Huckell/Weinman Associates, Inc.

Duwamish Barge
Off-Loading Facility

Figure 3

Site Plan
Proposed Development

Major Component

The major component of the project is based on a separate, specific contract from the Port of Seattle, for which a *Request for Proposal* is expected to be issued later this year. Work related to this subsequent contract would involve the transfer of sand and gravel from barges via conveyors to waiting trucks for off-site deposit. The duration of this contract would involve work during 1999, 2000 and 2001. The scope of this contract would involve delivery of an estimated total of 13.5 million tons (9 million cubic yards) of sand and gravel, which amounts to approximately 4.5 million tons (3 million cubic yards) of sand and gravel for each of the years of the three-year contract. The following summarizes key aspects of this major element of the project:

■ **Demolition**

The existing shop (approx. 9,000 sq.ft.) and the storage building (approx. 2,150 sq. ft.) would be demolished and existing containers, heavy equipment and hover craft that are stored on-site would be removed.

■ **Construction**

It is proposed that a modular structure be located on the site in the same general area as the existing shop to serve as a temporary office/scale house. This structure would be a single-story building (approx. 10 ft. x 32 ft. with a height of 12 ft.). Truck scales would be located on-site along the west property line proximate to the modular office/scale house.

Four 48-inch wide conveyors would be positioned on the site. The conveyors would extend from hoppers on the barges to the truck load-out area. Each conveyor would be U-shaped and the speed of the feed hoppers would be set based on the capacity of each conveyor, to prevent spillage. As shown by Figure 3, the lengths of the conveyors would vary depending upon the location on the site -- from about 330 ft. to 500 ft.

Additional exterior lighting would be provided proximate to the modular office/scale house and along the conveyor.

All existing paving would remain. The existing cyclone fence along the west and south boundaries of the site would remain. As noted previously, there are presently two driveway entrances to the project site located along the west property line. The location of the south ingress/egress would remain in its present location. It is proposed, however, that the north entrance be relocated approximately 100 - 150 ft. north, to better coincide with the revised alignment of the S.W. Michigan St. access roadway being conducted by WSDOT (Figure 3).

Like the minor component, no in-water construction or modifications to existing in-water facilities is proposed for the major component. As shown in Figure 3, the site contains a 62 ft. x 102 ft. pile-supported concrete wharf, which is located in the northeast corner of the site and eight multiple-pile wood dolphins that are located approximately 60 - 80 ft. offshore.

Operations

The site's shoreline area can currently accommodate two 8,000 - 10,000 ton barges². Tractor tugs would position each barge into position adjacent to pairs of conveyors. The tugs would be positioned on the channel-side of the barge and would operate approximately 140 ft. from the west shore of the Duwamish Waterway. The barges would be moored to the existing dolphins during off-loading. Each barge would carry two feed hoppers and front-end loaders or backhoes. Sand and gravel would be placed in the hoppers by the front-end loaders or backhoes and conveyors would transfer the sand and gravel over water and across the site to waiting trucks for transfer to the job site. As shown in Figure 3, each of the four conveyors would be mounted on pivots located along the shoreline in order to maneuver the conveyors out to the barges.

Figure 3 also depicts the approximate location of two stockpiles of material (each approx. 5,000 cu. yds.).

The proposed barge off-loading facility could accommodate a maximum of three to four 8,000-ton barges per day or three 10,000-ton barges per day. It is anticipated that the facility would require 3 to 4 barge trips (entering and departing) per day.

During 1998, assuming successful bidding, it is projected that the barge off-loading facility would generate a total of approximately 50,000 truck trips³, which equates to approximately 325 trips per day or 33 trips per hour. Between 1999 and 2002, when the facility is fully operational, it is estimated that a total of 225,000 truck trips would be generated per year; this equates to approximately 750 trips per day or 47 trips per hour.

Trucks would travel from the project site to the job-site via SR-509. Trucks arriving at the project site would exit SR-509 northbound at S. Holden St., turn right (eastbound) onto S. Holden St. and proceed to the intersection with SR-99, turn left (northbound) onto SR-99 and proceed on SR-99 to the new S.W. Michigan St./1st Ave. S. surface access street (beneath the new 1st Ave. S. Bridge), which leads directly to the project site. Upon exiting the project site, trucks would follow the new S.W. Michigan St./1st Ave. S. surface access street, pass beneath the 1st Ave. S. Bridge to the intersection with Highland Park S.W. and 2nd Ave. S.W., turn left (southbound) onto 2nd Ave. S.W. and proceed on 2nd Ave. S.W. to access SR-509 southbound.

The proposed project would involve 24-hour operations 6 days per week. It is estimated that 4 - 6 employees would be on-site during each shift. Employee parking is shown on Figure 3, proximate to the modular temporary office/scale house.

² 8,000-ton barges have an approximate length of 320 feet with a beam of 78 ft.; 10,000-ton barges have a length of about 350 ft. with a 90 ft. beam.

³ Assumes truck capacity of 20 cubic yards.

12. ***Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.***

The project site is located in south Seattle on the south-side (west bank) of the Duwamish River, immediately adjacent and east of the 1st Ave. S. bridge. The address of the site is 7100 - 2nd Ave. S. The complete legal description for the property is included on the site plan, which is on file with DCLU as part of the Master Use Permit application.

Vehicular access to the site is from SR-99 to the new S.W. Michigan St./1st Ave. S. surface access street located beneath the new 1st Ave. S. Bridge.

PROJECT SPECIFIC ACTIONS:

Complete this section if your proposal involves a project specific action such as a subdivision, new construction, a new or expanding business, a site specific rezone (not area-wide), a conditional use permit, a shoreline permit or similar action:

ENVIRONMENT

1. EARTH

- a. ***General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____.***

The topography of the site is relatively flat, dropping approximately 2 ft. across the upland portion of the property – from the west to the east.

- b. ***What is the steepest slope on the site (approximate percent slope)?***

Approximately 0.5 percent gradient.

- c. ***What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.***

No known geotechnical analysis of the site has been conducted. Independent preliminary engineering review of the site indicates that the soils are comprised of granular fill. The entire site is covered with asphaltic concrete.

The project site is in an industrial area of the City and is not classified as prime farmland.

- d. ***Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.***

In all probability, the site and much of the immediately surrounding area are comprised of fill material. There are no known surface indications or history of unstable soils on the site. As noted in BACKGROUND (paragraph #11), the project site was formerly part of the Duwamish Waterway's Turning Basin No. 2, which was filled approximately 50 years ago.

DCLU's Critical Areas Maps indicate that this site is *liquefaction prone*; the notation that corresponds with this site designation indicates that SEPA review is not required.

- e. ***Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.***

No filling or grading is proposed. As noted, the site is relative flat and no modification of the site topography would be needed; other than areas covered

by existing buildings, the entire site is paved and although existing buildings would be demolished, the paving would not be altered; and the structure and equipment that would be located on-site would be temporary (e.g., modular temporary office/scale house and conveyors), with no permanent foundations necessary.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

As noted, the site is essentially flat and is paved. No erosion is anticipated as a result of proposed demolition, the placement of the modular structure or the conveyors, or the stockpiles. Once the facility is fully operational, standard erosion control measures would be employed.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Presently 100 percent of the site is covered by impervious surfaces. Lot coverage associated with the Duwamish Barge Off-Loading Facility would remain at 100 percent lot coverage.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Based on provisions of Seattle's *Stormwater, Grading and Drainage Control Code* (Ch. 22.800), preliminary indications are that the proposed project would not exceed the minimum permit threshold requiring Drainage Control Review. None-the-less, the proposed project would still comply with other provisions of the City's *Stormwater, Grading and Drainage Control Code*. Possible erosion control measures may include:

- construction of sediment traps (or similar localized devices to trap sediment on-site) before earthwork begins; and
- installation of silt fencing (or similar device) in drainage courses below construction areas.

2. AIR

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Development of the Duwamish Barge Off-Loading Facility would result in localized increases in total suspended particulate emissions as a result of building demolition (described in BACKGROUND paragraph #11 above). These

increases would be temporary and are not expected to result in any violations of ambient air quality standards.

No construction-related air quality impacts are anticipated with regard to siting the proposed modular structure and the conveyors.

Operation of the proposed barge off-loading facility would involve the conveyance of sand and gravel from barges to trucks for off-site deposit; periodically some sand and gravel may be temporarily stockpiled on-site. Preliminary engineering data indicate that the proposed sand and gravel mixture contains less than 10 percent fines and approximately 4 percent water. Airborne dust associated with the transfer, as well as stockpiled material is not expected to result in any violations of ambient air quality standards. Similarly, as noted previously, the proposed project would generate a significant amount of truck traffic between the site and SeaTac International Airport between 1998 and 2002. Emissions from these vehicles are not expected to significantly affect local air quality along this corridor nor result in any long-term air quality impact (refer also to environmental analysis associated with the Third Runway Project).

b. *Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe?*

The project site is located in Seattle's industrial area. While there are other off-site sources of emissions or odor, none would affect the project.

c. *Proposed measures to reduce or control emissions or other impacts to air, if any:*

- Dust produced by demolition activity occurring during dry periods could be reduced by spraying debris piles with water.
- As noted, 100 percent of the site is presently covered with impervious surfaces, which would lessen the contribution of wind entrained dust particles from unpaved sites.
- Stockpiles of sand and gravel could be sprayed with water

3. WATER

a. Surface:

- 1) ***Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.***

As described in BACKGROUND (paragraph #11) above and depicted in figures 1 - 3, the site borders the Duwamish Waterway at a location

roughly 2.5 miles upstream of the confluence with Elliott Bay. The project site has 702 ft. of shoreline along the Duwamish, as well as roughly 480 ft. of shoreline along the slough, which borders the south boundary of the site.

In the vicinity of the project site, the Duwamish Waterway is 500 ft. wide with a maximum depth of about 18 ft. at mean lower low water. Tidal fluctuation can vary the water depth to between 13 and 15 ft. The shipping channel, which is located northeast of the existing pile dolphins, is periodically dredged by the US. Army Corps of Engineers and private interests to allow barge and ship traffic upstream. Watercraft traffic through this area is relatively heavy and includes tugs, barges, and other large commercial vessels.

A shallow 50 - 70-ft. wide shelf extends offshore from the site to the existing dolphins. This shelf is within the intertidal zone and experiences dewatering often on a daily basis. The shoreline adjacent to the site is covered with rip-rap consisting of pieces of concrete and asphalt. A dirt berm rises above the rip-rap and contains a narrow (3 - 10 ft. wide) riparian zone that is vegetated with grasses, Himalayan blackberry, together with a scrub willow and alder.

- 2) ***Will the project require any work over, in, or adjacent to (within 200 feet) of the described waters. If yes, please describe and attach available plans.***

As noted previously, the proposed project would involve work over a portion of the Duwamish Waterway, as well as work within 200 feet of Duwamish and the slough. Figure 3 depicts the moored location of the proposed barges, the location of the proposed conveyors, and the location of the modular office/scale house and the temporary stockpiles. Plans on-file with DCLU provide a greater level of detail.

As noted in BACKGROUND (paragraph #11), no in-water construction is proposed. The barges would be maneuvered into position with tugs and the barges would be moored to existing pile dolphins during off-loading.

Refer to *Attachment A* for additional information regarding Fisheries and Water Quality.

- 3) ***Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.***

No fill or dredge material would be placed in or removed from any surface water body as a result of this proposed project.

- 4) ***Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.***

The proposed project would not require any surface water withdrawals or diversions.

- 5) ***Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.***

The National Flood Insurance Program map for Seattle (#53089) -- #53033C0640F -- indicates that the project site is not located within a 100-year floodplain. The geographic area south of the slough is South Park; that area is located within the floodplain.

- 6) ***Does the proposal involve any discharges of waste material to surface waters? If so, describe the type of waste and anticipated volume of discharge.***

Operation of the proposed barge off-loading facility would not involve any discharges of waste material to surface waters. Refer also to the discussion of water quality contained in *Attachment A*.

b. **Ground:**

- 1) ***Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.***

The proposed project would not require groundwater withdrawal or discharges.

- 2) ***Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.***

As noted previously, 100 percent of the site is presently covered with impervious surfaces; that amount of coverage would remain when the barge off-loading facility is operational. No waste material would be discharged into ground waters as a result of the proposed project.

c. **Water Runoff (including stormwater):**

- 1) ***Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.***

As presently occurs on the site, most storm water runoff from on-site impervious surfaces is directed to an on-site catch basin in the north-central portion of the site. That catch basin is connected to a storm drain, located along the west portion of the site. The storm drain discharges into a combined storm/sanitary sewer line located near the southwest corner of the site. Runoff that occurs near the Duwamish Waterway, discharges into the Duwamish by overland flow.

- 2) ***Could waste materials enter ground or surface waters? If so, generally describe.***

No. Stormwater runoff would be directed to the on-site catch basin. The potential for any possible discharge would be lessened further with implementation of the proposed measures noted below.

d. ***Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:***

- the on-site catch basin could be designed to provide sedimentation control and oil/water separation;
- a regular maintenance program of the on-site catch basin would occur by Douglas Management to ensure operational effectiveness; and
- to prevent spillage from the conveyors, all conveyors would be U-shaped and the speed of the feed hoppers would be set to prevent exceeding the capacity of the conveyors.

4. **PLANTS**

a. ***Check or circle types of vegetation found on the site:***

- X deciduous tree: scrub willow and alder in a narrow riparian zone adjacent to portions of the shoreline; such vegetation is less than 15 ft. tall
- evergreen tree:
- shrubs
- X grass
- pasture
- crop or grain
- wet soil plants:
- water plants:

- X other types of vegetation: Himalayan blackberry in the narrow riparian zone adjacent to portions of the shoreline

Review of the Washington State Dept. of Fish & Wildlife priority habitat and species database indicates that no specific sightings of state sensitive aquatic species have been recorded near the project site. Refer also to the Fisheries & Water Quality Report that is included as *Attachment A*.

b. What kind and amount of vegetation will be removed or altered?

As noted previously, other than the narrow riparian zone along the shoreline, the site is entirely covered with impervious surfaces. Any on-site vegetation that could interfere with placement or operation of the conveyors would be removed.

c. List threatened or endangered species known to be on or near the site.

There are no known threatened or endangered species on or proximate to the project site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

No landscaping is proposed.

5. ANIMALS

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, **songbirds**, other: **seagulls**

mammals: deer, bear, elk, beaver, other:

fish: bass, **salmon**, **trout**, **herring**, shellfish, other (proximate to the site):

Dolly Varden char, surf smelt, long-fin smelt, and Pacific hearing, shiner perch, staghorn sculpin and starry flounder have been observed in studies in the project area.

Refer also to the Fisheries & Water Quality Report that is included as *Attachment A*.

b. List any threatened or endangered species known to be on or near the site.

The lower Duwamish does not support any known populations of fish species listed as endangered or threatened under the federal ESA.

c. *Is the site part of a migration route? If so, explain.*

As noted in the Fisheries & Water Quality Report (Attachment A), juvenile salmonids emigrate downstream through the Duwamish River enroute to the sea. Eight anadromous salmon stocks use the Duwamish and Green River system.

d. *Proposed measures to preserve or enhance wildlife, if any:*

No measures are proposed. The site and surrounding uses are industrial.

6. ENERGY and NATURAL RESOURCES

a. *What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.*

Electrical energy would be used for operation of the conveyors, all exterior lighting, the truck scale and space heating within the modular office/scale house.

b. *Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.*

The proposed project would not interfere with solar access of adjacent properties west, north or east of the site.

c. *What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:*

The modular structure has been designed to comply with energy code requirements.

7. ENVIRONMENTAL HEALTH

a. *Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.*

This project is not expected to present any environmental health hazard. No truck maintenance would be performed at the project site; some maintenance of conveyors may, periodically, be necessary.

As shown on Figure 3, the site contains a monitoring well. Prior contamination on-site has been cleaned-up and on-going monitoring continues.

1) ***Describe special emergency services that might be required.***

No special emergency services would be necessary.

2) ***Proposed measures to reduce or control environmental health hazards, if any:***

No specific measures are necessary.

b. **Noise**

1) ***What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?***

As noted, the project site is located within Seattle's industrial area. The zoning designation of the site and surrounding area allows the most intensive industrial uses allowed in Seattle.

Noise sources proximate to the site include traffic on the 1st Ave. Bridge, construction-related noise associated with major modifications to the 1st Ave. Bridge, noise generated by watercraft operating on the Duwamish Waterway, aircraft noise associated with Boeing Field and SeaTac International Airport, and sounds related to nearby industrial activities.

2) ***What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.***

Project-related noise would consist of short-term demolition and site preparation noise and long-term operational noise. Demolition and site preparation noise is expected to occur weekdays from 7 AM - 6 PM for approximately a two-week period of time.

Long-term operational noise would occur as a result of periodic tug traffic associated with barge movements, loaders/backhoes loading sand and gravel into the hoppers, operation of the conveyors, load-out of the haul trucks, and noise associated with trucks movements. On-site barge off-loading-related noise is not expected to significantly affect any land uses proximate to the site. No quantitative estimates of noise levels are available.

3) ***Proposed measures to reduce or control noise impacts, if any:***

No measures are necessary.

8. LAND and SHORELINE USE

a. *What is the current use of the site and adjacent properties?*

The project site is used for industrial purposes. The uplands portion of the site presently provides heavy equipment storage and a barge load-out/off-load facility. During recent site visits heavy equipment, large steel containers, a crane and several hover craft were observed. Barges ranging in size from 12,000 sq.ft. to 45,000 sq.ft. (approx. 4,000 - 15,000 tons) have historically been moored at the project site for varying lengths of time.

City records indicate that for at least the past 24 years, the site has been consistently used for industrial purposes, including former use as a transshipment facility for sand and gravel. Within the past 10 years, the site was used as a cargo terminal for barges destined for Alaska.

The pattern of land uses surrounding the site include the following:

- west and northwest – construction staging area for the major modifications associated with the 1st Ave. Bridge renovation;
- south and southeast – heavy industrial activities; and
- east (across the Duwamish Waterway) -- industrial activities.

b. *Has the site been used for agriculture? If so, describe.*

There is no evidence to indicate that the site has ever been used for agricultural production. Refer also to the discussion in BACKGROUND (paragraph #11) above.

c. *Describe any structures on the site.*

Present development on the project site is depicted in Figure 3 and it includes: a shop building (sq.ft. -- approx. 9,000; ht. -- approx. 20 ft.), which is centrally located along the west property line; a storage building (sq.ft. -- approx. 2,150; ht. -- approx. 18 ft.), a modular office (approx. 320 sq.ft.), and a fenced electrical power area (roughly 10 ft. x 15 ft.) located along the south property line; a 62ft. x 102 ft. concrete wharf and a 10 ft. x 25 ft. concrete ramp to the water, which are located in the northeast portion of the site; and eight, multiple-pile wood dolphins located 60 - 80 feet off-shore.

d. *Will any structures be demolished? If so, what.*

As noted previously, the shop building and the storage building would be demolished.

e. *What is the current zoning classification of the site?*

The site is zoned IG1 U/65 – General Industrial 1. A cargo terminal is a permitted use in this zoning district.

f. *What is the current comprehensive plan designation of the site?*

The current comprehensive plan designation of the site is Industrial.

g. *If applicable, what is the current shoreline master program designation of the site?*

The shoreline master program designation for the site is UI – Urban Industrial. A cargo terminal (water dependent or non-water dependent) is a permitted use in this shoreline zone; outdoor storage is also a permitted use.

h. *Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.*

As noted previously, approximately 50 years ago this site and portions of the surrounding area were filled. Prior to filling, the site was part of the Duwamish Waterway's Turning Basin #2.

DCLU's Critical Areas Maps indicate that this site is *liquefaction prone*; the notation that corresponds with this site designation indicates that SEPA review is not required in connection with this designation.

i. *Approximately how many people would reside or work in the completed project?*

It is estimated that 4 - 6 employees would be on-site during each shift. No one would reside at the site.

j. *Approximately how many people would the completed project displace?*

The proposed Duwamish Barge Off-Loading Facility would not displace anyone.

k. *Proposed measures to avoid or reduce displacement impacts, if any:*

Where possible, existing employees would be re-assigned by the applicant to other related industrial activities.

l. *Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:*

The proposed project has been designed to be consistent with use and development regulations associated with zoning and the shoreline master program. As noted previously, the proposed Duwamish Barge Off-loading Facility is a permitted use relative to site zoning and the shoreline master program. The shoreline master program permits development with a maximum

height of 35 feet, although conveyors and related structures can extend above that height; there is no maximum height limit in the IG1 zone. As noted previously, the estimated maximum height of the proposed modular office/scale house would be 12 ft. and as shown in Figure 4, the estimated maximum height of the conveyors would be 30 ft. above existing grade. The height of the steel tripod structure that supports the pivoting unloading conveyor would be approximately 52 ft. above grade. The IG1 zone would permit a development on the site of approximately 330,000 sq.ft.; on-site development of less than 350 sq.ft. is proposed – the 10 ft. x 32 ft. modular temporary office/scale house. The shoreline master program regulations associated with the UI designation allow 100% lot coverage. There are no view corridor requirements for water-dependent uses in this zoning district.

9. HOUSING

- a. *Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.*

The proposed project does not include any housing.

- b. *Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.*

No dwelling units will be demolished as a result of this proposed project.

- c. *Proposed measures to reduce or control housing impacts, if any:*

No mitigation measures are necessary.

10. AESTHETICS

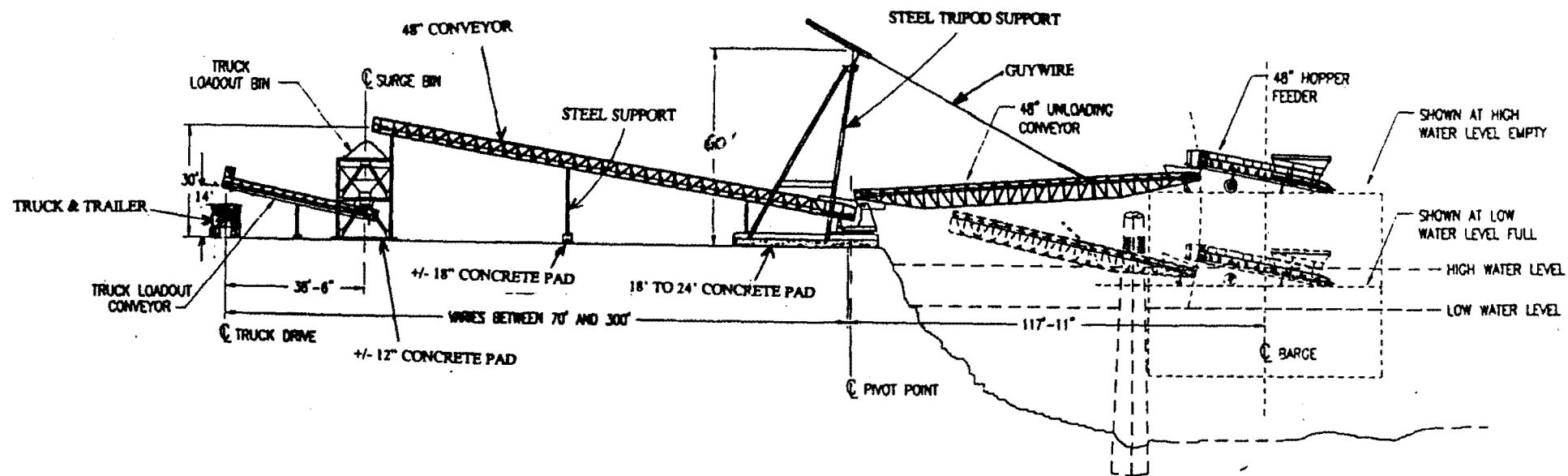
- a. *What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?*

As shown in Figure 4, the estimated height of the conveyors would be 30 ft. above existing grade. The height of the steel tripod structure that supports the pivoting unloading conveyor would be approximately 60 ft. above grade.

- b. *What views in the immediate vicinity would be altered or obstructed?*

The proposed project would not affect any views in the immediate vicinity of the site. As noted previously, the site and adjoining properties are industrial.

Territorial views overlooking the site and surrounding area would be possible from the remodeled 1st Ave. S. Bridge. The proposed Duwamish Barge Off-Loading Facility would not affect views from that location.



Source: Westec Industries, Inc.

Huckell/Weinman Associates, Inc.

Duwamish Barge Off-Loading Facility

Figure 4

Cross-Section A-A¹
(refer to Figure 3 for location)

c. ***Proposed measures to reduce or control aesthetic impacts, if any:***

No measures are necessary.

11. **LIGHT and GLARE**

a. ***What type of light or glare will the proposal produce What time of day would it mainly occur?***

The amount of ambient light and glare that would be generated by stationary and mobile sources on the project site is expected to be about the same as presently exists. As shown on Figure 3, existing light standards are located along the shoreline and south boundary of the property. Also, exterior lighting is provided in conjunction with existing buildings on-site.

The level of ambient light throughout this portion of the City is relative high due to the industrial nature of the facilities and the fact that many businesses operate with multiple shifts. In addition, lighting is provided in conjunction with the 1st Ave. S. Bridge, located immediately west of the site. This structure is elevated 40 - 50 feet above ground level.

As noted in the BACKGROUND portion of this Environmental Checklist, the proposed project would operate 24-hour per day 6 days per week. Trucks entering and exiting the proposed facility during periods of darkness (or reduced light) would have headlights on, which would contribute to ambient light levels in the general vicinity of the site. The proposed project is not expected to present any significant light or glare impacts.

b. ***Could light or glare from the finished project be a safety hazard or interfere with the views?***

No significant impact is expected.

c. ***What existing off-site sources of light or glare may affect your proposal?***

No existing off-site sources of light or glare would affect the proposed project.

d. ***Proposed measures to reduce or control light and glare impacts, if any:***

Any exterior light fixtures that would be added to the site would be designed and sited to direct light away from adjacent land uses.

12. RECREATION

- a. ***What designated and informal recreational opportunities are in the immediate vicinity?***

As noted, the project site and surrounding area are in the City's industrial area. The Duwamish Waterway borders the site, which provides recreational opportunities. The nearest park is located in the City's South Park neighborhood, roughly 1 mile south of the site.

- b. ***Would the proposed project displace any existing recreational uses? If so, describe:***

The proposed project will not displace any existing recreational uses.

- c. ***Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:***

No measures are necessary.

13. HISTORIC and CULTURAL PRESERVATION

- a. ***Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.***

There are no known places or objects listed on any Federal, State or local register or proximate to the project site.

- b. ***Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.***

There are no known landmarks or evidence of historic, archaeological, scientific, or cultural importance on or proximate to the site.

- c. ***Proposed measures to reduce or control impacts, of any:***

No specific mitigation measures are necessary.

14. TRANSPORTATION

- a. ***Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.***

The site is bordered by the at-grade 1st Ave. S., which is presently being reconfigured by WSDOT as part of the 1st Ave. S./SR-509 interchange modifications. Access to the site would be from S.W. Michigan St./1st Ave. S. via SR-99.

As noted in the BACKGROUND discussion (paragraph #11), trucks would travel from the project site to the job-site via SR-509. Trucks arriving at the project site would exit SR-509 northbound at S. Holden St., turn right (eastbound) onto S. Holden St. and proceed to the intersection with SR-99, turn left (northbound) onto SR-99 and proceed on SR-99 to the new S.W. Michigan St. access (beneath the new 1st Ave. S. Bridge), which leads directly to the project site. The project site would provide two gates for ingress and egress (Figure 3). Upon exiting the project site, trucks would follow the new S.W. Michigan St. access, pass beneath the 1st Ave. S. Bridge to the intersection with Highland Park S.W. and 2nd Ave. S.W., turn left (southbound) onto 2nd Ave. S.W. and access SR-509 southbound.

Refer to the detailed Traffic Study that is contained in *Attachment 2* to this Environmental Checklist.

- b. ***Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?***

Public transit serves the general vicinity of the site.

- c. ***How many parking spaces would the completed project have? How many would the project eliminate?***

As indicated by Figure 3, employee parking is proposed for 4 vehicles.

The proposed project would not eliminate any existing parking spaces.

- d. ***Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).***

As noted, the at-grade S.W. Michigan St./1st Ave. S. is presently being reconfigured by WSDOT as part of the 1st Ave. S./SR-509 interchange modifications. Access to the site would be from 1st Ave. S. via SR-99. Other than curb cut modifications for driveways, the proposed project would not require improvements to existing streets.

- e. ***Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.***

The proposed project would be a cargo terminal and a water-dependent use. It is anticipated that the facility would require 3 to 4 barge trips (entering and departing) per day.

- f. ***How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.***

During 1998, it is projected that the barge off-loading facility would generate a total of 50,000 truck trips, which equates to approximately 325 trips per day or 33 trips per hour. Between 1999 and 2002, when the facility is fully operational, it is estimated that a total of 225,000 truck trips would be generated per year; this equates to approximately 750 trips per day or 47 trips per hour.

Refer also to the Traffic Study in *Attachment 2*.

- g. ***Proposed measures to reduce or control transportation impacts, if any:***

No mitigation is proposed. Refer to the Traffic Study in *Attachment 2*.

15. PUBLIC SERVICES

- a. ***Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.***

The proposed project is not expected to generate any significant increased need for public services.

- b. ***Proposed measures to reduce or control direct impacts on public services, if any.***

No mitigation measures are necessary.

16. UTILITIES

- a. *Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other -- storm drainage.*

All utilities noted above are currently available on or proximate to the site.

- b. *Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.*

Sewer City of Seattle

Water City of Seattle; design/construction specifics
to be noted on the utility construction plans to be
submitted to the City;

Storm Drainage City of Seattle; design/construction specifics
to be noted on the utility construction plans to be
submitted to the City;

Telephone service is available;

Electrical Power service is available;

Natural Gas: no service is needed.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand the lead agency is relying on them to make its decision.

Signature: *Terrell P. McLane*

Date Submitted: *Feb. 20, 1998*

This checklist was reviewed by: _____
Environmental Specialist, Department of Construction and Land Use

Any comments or changes made by the Department are entered in the body of the checklist and contain the initials of the reviewer.



How to Appeal the Granting, Conditioning or Denial of Shoreline Permits

July 1995

The Washington State Shorelines Hearings Board hears all appeals of the granting or denial of a shoreline development permit or its conditions.

WHEN TO FILE AN APPEAL

1. Shoreline Substantial Development Permit

If you want to appeal a Department of Construction and Land Use (DCLU) decision on a shorelines substantial development permit to the Shorelines Hearing Board, you must do so **within 21 days of the date DCLU's decision is received by the Washington State Department of Ecology (DOE).**

2. Shoreline Variance or Conditional Use

If you want to appeal a DCLU recommendation on a shoreline variance or conditional use to the Shorelines Hearing Board, you must do so **within 21 days of the date a decision on the variance or conditional use is made by DOE.**

The failure to observe the filing deadlines can result in dismissal of an appeal. Please refer to RCW 90.58.180 for specific appeal requirements. A copy of the RCW is available at the Main Branch of the Seattle Public Library.

WHERE TO FILE AN APPEAL

Within the specified 21 days, you must send the original and one copy of the appeal to:

1. **Environmental Hearings Office (Shorelines Hearings Board)**
4224 6th Avenue SE #2, Row Six
P.O. Box 40903
Lacey, WA 98504-0903

Send one copy each to the following:

2. **State Department of Ecology**
Shoreland Management Section,
P.O. Box 47690
Olympia, WA 98504-7690
3. **Office of the State Attorney General Ecology Division**
629 Woodland Square Loop
P.O. Box 40117
Olympia, WA 98504-0117
4. **The City of Seattle City Attorney's Office,**
10th Floor, Municipal Building,
Seattle, Washington 98104.
5. **The permit applicant**
(if you are not the permit applicant).

CONTENTS OF THE APPEAL

The appeal, in writing, must contain this information:

1. Your name, legal and mailing address, and the name and address of your representative, if applicable.
2. A copy of the application for the shoreline development permit that was submitted to the City (obtainable from DCLU's Master Use Information Counter, Suite 200 Dexter Horton Building, 710 2nd Avenue).
3. A copy of the City's final decision on the permit (obtainable from DCLU's Master Use Information Counter).
4. A copy of the DOE decision, if any (obtainable from DOE).
5. The factual and legal grounds for believing the final decision on the permit was unjust or unlawful.